

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 9, 2003 PLANNING COMMISSION MEETING

P.A.S.: Use Permit 151
East O Street Office Park

PROPOSAL: Obtain a use permit on a lot under 2 acres in size for 2 office buildings with a total of 11,050 sq. ft. of floor area; rescind Use Permit #120.

LOCATION: 81st and "O" Streets

LAND AREA: 1.03 acres, more or less.

CONCLUSION: The application is for a permitted use within the O-3 Office Park District and substantially conforms to the zoning ordinance.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 59 I.T. and 69 I.T., located in the SE1/4 of 22-10-7, Lancaster County, Nebraska.

EXISTING ZONING: O-3 Office Park

EXISTING LAND USE: Single-Family homes, 1 on each lot

SURROUNDING LAND USE AND ZONING:

North:	Herbert Park	P Public
South:	Offices	O-3 Office Park
East:	Single-Family homes	R-2 Residential
West:	Offices	O-3 Office Park

HISTORY:

Sep 1999 Change of Zone 3197 changed the zoning on Lot 59 I.T. from R-2 Residential to O-3 Office Park.

Jul 1999 Change of Zone 3183 changed the zoning on Lot 69 I.T. from R-2 Residential to O-3 Office Park.

- Jun 1999 Use Permit 120 approved by Planning Commission to allow the conversion of an existing house into a chiropractic office building on Lot 69 I.T.
- May 1979 The zoning update changed this property from A-2 Single-Family Dwelling to R-2 Residential.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Land Use Plan indicates this property will remain Commercial. (F 25)

Commercial: Areas of retail, office, and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (F 22)

In ***Future Conditions - Mobility and Transportation***, the Comprehensive Plan identifies many committed and proposed transportation system improvements. One of the listed proposed improvements is the expansion of East "O" Street to 6 lanes plus turn lanes, between 72nd Street and 98th Street. (F 109)

UTILITIES: Available.

TOPOGRAPHY: Slopes gradually from southeast to northwest, with approximately 12 feet of drop from one corner to the other.

TRAFFIC ANALYSIS:

The 2025 Comprehensive Plan identifies "O" Street as a Principal Arterial both now and in the future. (E 49, F 103) However, these two lots take access off of a frontage road along "O" Street rather than off of "O" Street itself. How this frontage road and access to these lots will change as a result of the proposed widening of "O" Street in this area has not been resolved at this time.

Principal Arterials: This functional class of street serves the major portion of through-traffic entering and leaving the urban area and is designed to carry the highest traffic volumes. These serve intra-area traffic such as between the CBD and outlying residential areas and traffic between major inner-city communities or suburban centers. Included in this class are fully controlled access facilities and partially controlled access facilities. The principal arterial system is stratified into the following (two) subsystems:

Other Principal Arterials: This functional class of street serves the major portion of intercommunity and intracommunity traffic movement within the urban area and is designed to carry high traffic volumes. For other principal arterials, the concept of service to abutting land is subordinate to serving major traffic movements. Facilities within this classification are capable of providing direct access to adjacent land but such service is to be incidental to the primary functional responsibility of moving traffic within this system. (F102)

ENVIRONMENTAL CONCERNS:

Skyway Office Park, located adjacent and to the west of this proposal, has indicated to the Public Works and Utilities Department that they have had problems with their detention basin overflowing during large rain events. Due to the increase in impervious surfaces that will occur as a result of this permit, this project should be required to retain any increase in storm water runoff on-site.

AESTHETIC CONSIDERATIONS:

Although this property was not included in the planning of Skyway Office Park located immediately to the west, Applicant has indicated architectural features similar to those employed in Skyway Office Park will be used.

ALTERNATIVE USES:

Since this property is already zoned O-3 Office Park, any use permitted in this district could locate here upon the issuance of a use permit. The existing residential use of these lots is a permitted use in O-3. Also, Use Permit #120 approves a chiropractic office on Lot 69I.T.

ANALYSIS:

1. This is an application for a use permit for a parcel under 2 acres in size that will allow for the replacement of 2 existing homes with 2 office buildings, and will rescind Use Permit #120.
2. Pursuant to LMC §27.27.020, "O-3 Office Park District zoning shall not be permitted or granted upon any property having a total area of less than two acres." However, an exception to this rule is provided for lots under two acres that meet other conditions. Pursuant to LMC §27.27.080(m), a use permit may be granted for a lot of less than two acres, provided:
 - (1) **The lot was legally created prior to the effective date of this ordinance; and**
 - (2) **The lot has remained under separate ownership from adjoining properties in the O-3 district.**
3. Applicant has provided documentation that indicates Lots 59 I.T. and 69 I.T. were created in 1971 and 1972 respectively. The only adjoining property within the O-3 district is the lot located west of here in Skyway Office Park. A chain of title provided by Applicant indicates Lots 59 I.T. and 69 I.T. have remained in separate ownership from property within Skyway Office Park since May 8, 1979, the effective date of the zoning ordinance.
4. Use Permit 120 must be rescinded with the approval of this application.
5. Pursuant to LMC §27.69.044, this office park may have 1 ground sign located at its entrance. In addition, each building may have a ground sign at its entrance. The site

plan must be revised to clarify why two ground signs are shown at the entrance to the office park. If the locations are alternatives to each other, Note 4 should be revised to indicate this. If both locations are intended to be entrance ground signs, one must be removed, or Applicant may ask the City Council to modify the requirements. To do so would require a new application and legal notice, as well as any applicable fees. Neither location will qualify as a building entrance sign.

6. The parking lot as shown does not appear to comply with design standards.
7. The metes and bounds description does not match the drawing.
8. The Parks and Recreation Department and Lincoln Electric System have requested revisions to the drawings. Their comments are attached. The location of the LES easements may be viewed at the Planning Department.
9. Lincoln/Lancaster County Health Department and Public Works Department Watershed Management Division comments are attached.
10. Previous plats in this area indicate the possibility of Nebraska Department of Roads' easements along "O" Street. A copy of this application has been sent to that Department for review. Comments have not been received at this time.

CONDITIONS:

Site Specific:

1. This approval permits 2 office buildings with a total of 11,050 sq. ft. of floor area.

General:

2. Before receiving building permits:
 - 2.1 Revise the site plan to show:
 - 2.1.1 The metes and bounds description must match the drawing.
 - 2.1.2 Remove one of the entrance ground signs, or clarify that only one sign will be used and the locations shown are merely alternatives.
 - 2.1.3 Add a note stating the parking lot layout will comply with City of Lincoln Design Standards and will be approved with building permits.
 - 2.1.4 Show any applicable State of Nebraska easements.

3. Submit revised grading and drainage drawings for the approval of the Public Works and Utilities Department that conform to minimum design standards.
4. The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are found to be acceptable.
5. The construction plans shall comply with the approved plans.
6. Final Plats shall be approved by the City.

STANDARD CONDITIONS:

7. The following conditions are applicable to all requests:
 - 7.1 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established association approved by the City Attorney.
 - 7.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 7.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 7.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans.
9. Resolution PC-00505 and Use Permit 120 are hereby repealed and rescinded with the approval of this use permit.

Use Permit # 151
East "O" Street Office Park

Page 6

Prepared by:

Greg Czaplewski
Planner

Date: June 25, 2003

Applicant:

Austin Realty Investments
3355 Orwell Street, Suite 100
Lincoln, NE 68516
436.3444

Owner:

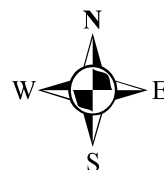
Same as Applicant.

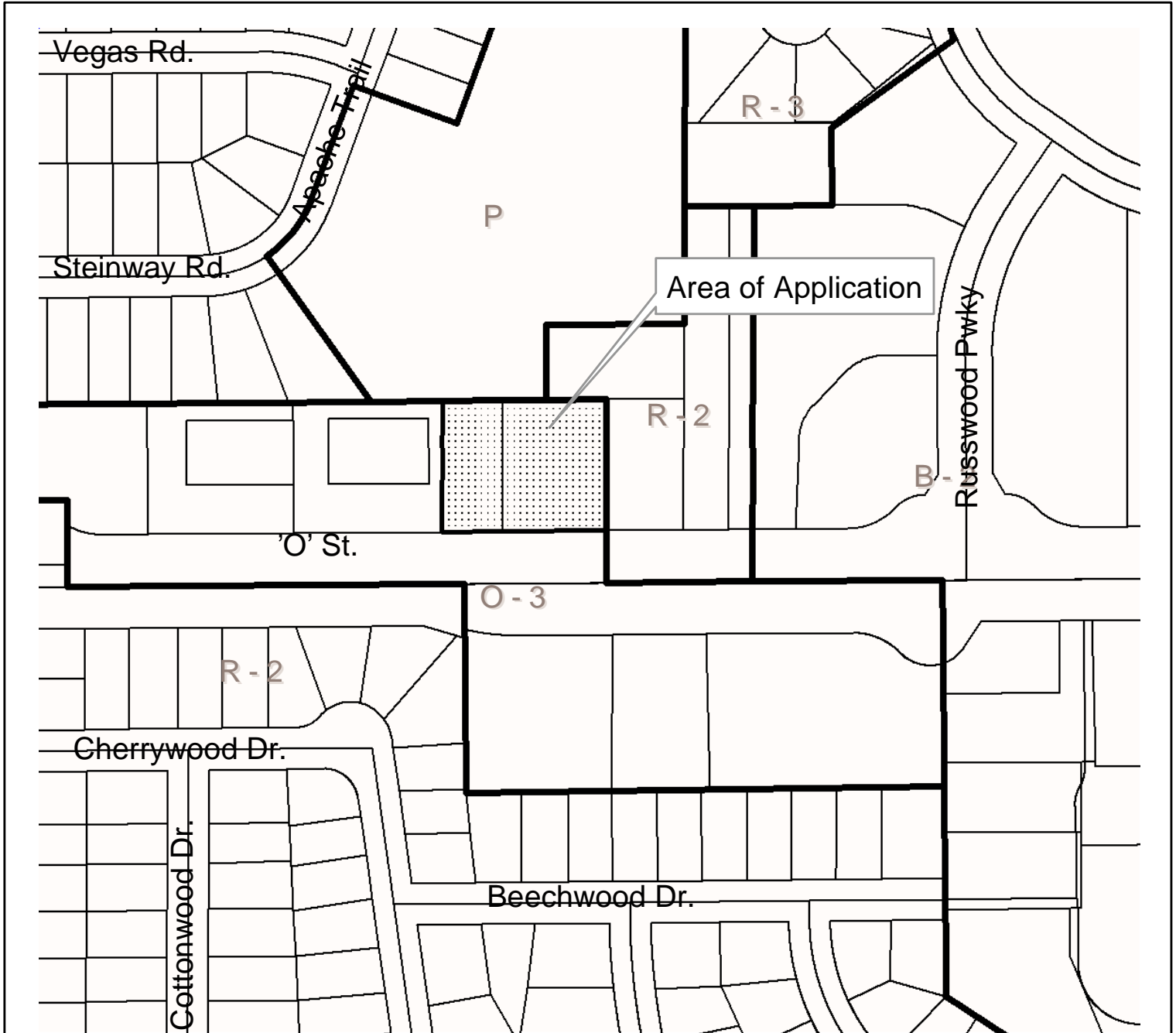
Contact:

Seacrest and Kalkowski, P.C.
DaNay Kalkowski
1111 Lincoln Mall, Suite 350
Lincoln, Ne 68508
435.6000



Use Permit #151
81st St. & 'O' St.



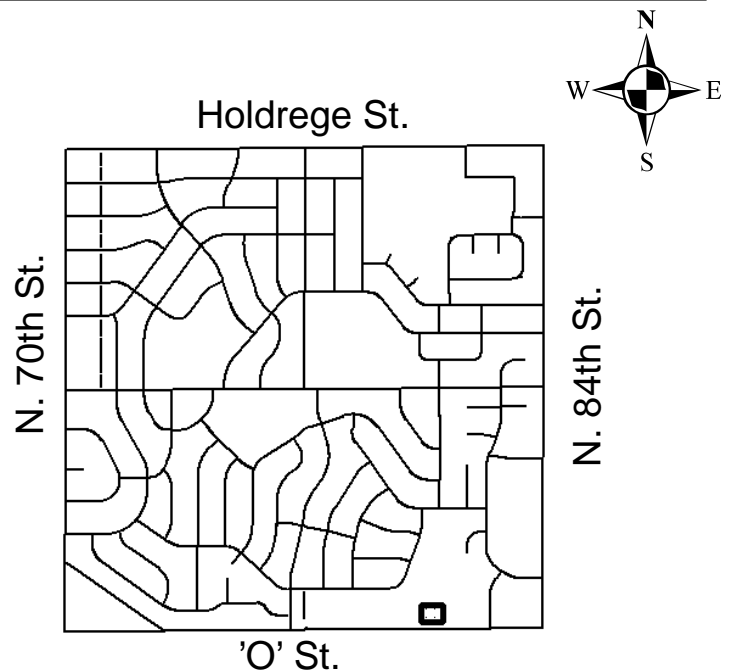
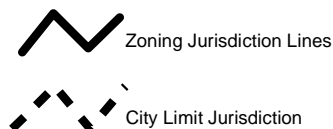


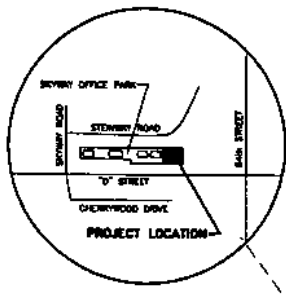
Use Permit #151 81st St. & 'O' St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 22 T10N R7E





VICINITY MAP
NOT TO SCALE

BLOCK 1 LAND USE & PARKING SUMMARY

BLOCK	LOT	TYPE	FLOOR AREA (S.F.)	USE	REQUIRED PARKING	PROPOSED PARKING	BUILDING HEIGHT (FOOT)
1	1	OFFICE	15,320	OFFICE	11	11	35
1	2	OFFICE	15,320	OFFICE	11	11	35

SHEET INDEX

SHEET 1 OF 3	SITE PLAN
SHEET 2 OF 3	GRADING PLAN AND DRAINAGE STUDY
SHEET 3 OF 3	LANDSCAPE PLAN

EAST "O" STREET OFFICE PARK

AMENDMENT USE PERMIT SITE PLAN

OWNER & PREPARED
OLSSON ASSOCIATES
1111 LINCOLN HALL
LINCOLN, NE 68501
PHONE: 474-8311

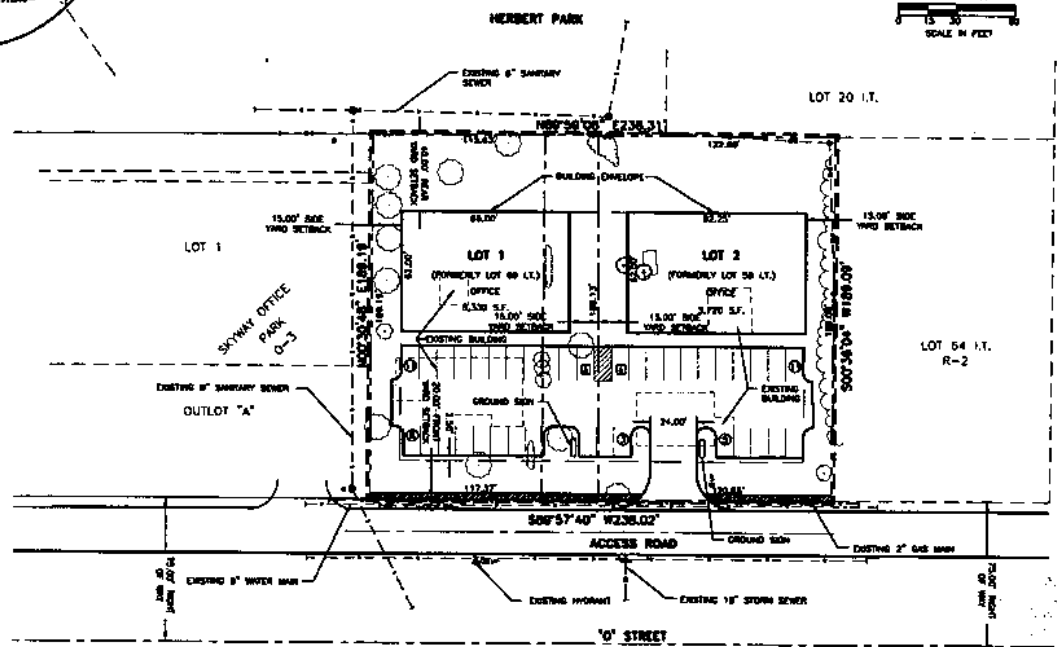
OWNER & DEVELOPER
ALVING REALTY INVESTMENTS, INC.
C/O JOHN SCHWENK
SUITE 303
LINCOLN, NE 68504-5350
PHONE: 432-3444

GENERAL NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE UNLESS OTHERWISE SHOWN. STORM SEWER SHALL BE CONSTRUCTED USING APPROVED PIPE. WATINGS OF THE BUILDING AND SAFETY PLUMBING, PLUMBING, PUBLIC AND PRIVATE UTILITIES TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
2. ALL PAVEMENT RETURN RAIN TO BE 30" (MIN.) UNLESS OTHERWISE NOTED.
3. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR CONSTRUCTION CONTROL AND RECONSTRUCTION DURING AND AFTER LAND REDEVELOPMENT.
4. ALL SIDEWALKS SHALL BE 4' WIDE AND BUILT AS SHOWN.
5. ALL ELEVATIONS ARE TO HMD 1985.
6. ALL OUTLOTS, MEDIAN, AND PRIVATE ROADS WITHIN THIS USE PERMIT SHALL BE MAINTAINED BY AN ASSOCIATION OF PROPERTY OWNERS.
7. THE PROPERTY IS CURRENTLY ZONED O-3.
8. THE EXISTING BUILDINGS ARE TO BE DEMOLISHED.
9. ALL CONSTRUCTION ACTIVITIES ADJACENT TO HERBERT PARK WILL BE COORDINATED WITH THE PARKS AND RECREATION DEPARTMENT.
10. LOT 50 LT. AND LOT 50 LT. ARE CURRENTLY BEING REPLATED IN ACCORDANCE WITH THE PROPOSED LOT CHANGES.

USE PERMIT NOTES

1. ALL EAVES, GUTTERS AND OTHER BUILDING PROJECTIONS MAY EXTEND OVER THE BUILDING ENVELOPE LINES BUT NOT LOT LINES.
2. THE DEVELOPER RESERVES THE RIGHT TO BUILD ANYTHING WITHIN THE BUILDING ENVELOPE SHOWN ON EACH LOT.
3. ALL DRIVES SHALL BE 24' WIDE TYPICAL UNLESS OTHERWISE NOTED.
4. SIGN LOCATION IS CONSIDERED. THE EXACT LOCATION WILL BE SHOWN AT TIME OF BUILDING PERMIT & WILL BE PER ZONING ORDINANCES 27.05.
5. ALL DISABLED PARKING SPACES SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, (FEDERAL REGISTER/VOL. 36, NO. 144/RULES AND REGULATIONS). 501(C)(3), 504, 506, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
6. WE ARE REQUESTING A COMMON ACCESS EASEMENT OVER ALL DRIVES & PARKING STALLS.
7. MINOR ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY BE MADE AT TIME OF BUILDING PERMIT. PROVIDED THE TOTAL IN THE WHOLE USE PERMIT DOES NOT EXCEED 11,400 S.F. HOWEVER, THE MAXIMUM NUMBER OF PARKING SPACES AS SPECIFIED IN CHAPTER 27.07 OF THE ZONING ORDINANCE MUST BE MET.
8. ALL OUTLOT LIGHTING SHALL MEET CITY OF LINCOLN DESIGN STANDARDS FOR PARKING LOTS.
9. A METES AND BOUNDS DESCRIPTION OF AN EASEMENT WHICH IS ACCEPTABLE TO LES WILL BE PROVIDED. THIS EASEMENT WILL BE COORDINATED WITH AND PROVIDED TO LES PRIOR TO LES INSTALLATION.

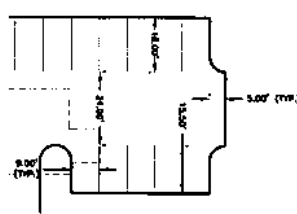


LEGAL DESCRIPTION

LOT 50 LT. AND LOT 50 LT., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LINCOLN COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 88 DEGREES 57 MINUTES 40 SECONDS WEST, A DISTANCE OF 109.07 FEET TO A POINT THENCE NORTH 80 DEGREES 43 MINUTES 20 SECONDS WEST, A DISTANCE OF 76.80 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 50 LT.; THENCE SOUTH 88 DEGREES 57 MINUTES 49 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 50 LT., A DISTANCE OF 238.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 50 LT.; THENCE NORTH 80 DEGREES 30 MINUTES 48 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 50 LT., A DISTANCE OF 188.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 50 LT.; THENCE SOUTH 88 DEGREES 58 MINUTES 29 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 50 LT. AND LOT 50 LT., A DISTANCE OF 338.10 FEET TO THE NORTHEAST CORNER OF SAID LOT 50 LT.; THENCE SOUTH 80 DEGREES 32 MINUTES 16 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 50 LT., A DISTANCE OF 188.89 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 45,044 SQUARE FEET OR 1.03 ACRES, MORE OR LESS.



TYPICAL PARKING DETAIL
NOT TO SCALE

LEGEND

- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING GAS MAIN
- PROPOSED PROPERTY LINE
- PROPOSED LINES OF USE PERMIT
- PROPOSED BUILDING ENVELOPE
- EXISTING PROPERTY LINE
- EXISTING TREE
- PROPOSED 4' SIDEWALK
- PARKING STALL COUNT

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRESENTLY PLAT AND THAT PRESENTLY CORNERS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

DATE: _____ SURVEYOR: MICHAEL R. JOHNSON, L.S. NO. 518

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NEBRASKA. THESE PLANS MEET THE REQUIREMENTS OF THE CITY ENGINEER'S OFFICE DESIGN REQUIREMENTS.

DATE: _____ ENGINEER: MARK C. FALKNER, C.E. 51103

APPROVAL

THE FOREGOING USE PERMIT WAS APPROVED BY THE CITY COUNCIL, RESOLUTION # _____ ON THE _____ DAY OF _____, 20____.

ATTEST: CITY CLERK

SITE PLAN

**EAST "O" STREET OFFICE PARK
AMENDMENT USE PERMIT**

Lincoln, Nebraska

Drawn by: [Signature] AEC
Checked by: [Signature] AEC
Designed by: [Signature] AEC
Project No.: 03-040
Drawing No.: 0010-
Date: 06/11/03

SHEET 1 OF 3

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

June 12, 2003

HAND DELIVERY

Marvin Krout
Planning Director
County-City Building
555 South 10th
Lincoln, NE 68508

RE: Submittal for East "O" Street Use Permit

Dear Marvin:

Our law firm represents Austin Realty Investments, the owner of Lots 59 and 69, Irregular Tracts located in the Southeast Quarter (SE1/4) of Section 22, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska ("Property"). The Property consists of approximately 1.03 acres that is currently zoned O-3. Austin Realty Investments is requesting a use permit on the Property pursuant to Lincoln Municipal Code Section 27.27.080(m), which permits the granting of a use permit for a lot of less than 2 acres, provided the following two conditions are met: (1) The lot was legally created prior to the effective date of this ordinance; and (2) The lot has remained under separate ownership from adjoining properties in the O-3 district.

The Property meets both conditions. We have verified with the Register of Deeds' records that both Lot 59 and Lot 69 were created as irregular tracts prior to May 8, 1979, the effective date of the ordinance. Lot 59 was created on December 7, 1971 and Lot 69 was created on June 1, 1972. The Property is located adjacent to Skyway Office Park to the west which is zoned O-3 and governed by Use Permit No. 76. Enclosed please find Certificates of Ownership for the lots included in Skyway Office Park and the Property, which include the chain of title for each parcel dating back to the effective date of the ordinance. The Certificates of Ownership verify that the Property has remained under separate ownership from the adjoining O-3 zoned property included within Skyway Office Park since the effective date of the ordinance.

The Property is able to meet all of the requirements for a use permit on its own without any waiver requests. It was never master planned or intended to be a part of Use Permit No. 76 or Skyway Office Park, which has its own set of protective covenants that do not include the Property. Consequently, Austin Realty Investments feels a separate use permit for the Property is appropriate. However, Austin Realty Investments does agree to use similar architectural features for its buildings on the Property to provide a development that is compatible with Skyway Office Park.

JUN 12 2003

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

Enclosed please find the following information supporting the use permit request:


1. City of Lincoln Zoning Application
2. Certificates of Ownership
3. Application fee in the amount of \$585
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan

No detention storage is shown on the plans due to the negligible increase in runoff during the 100 year storm. However, the plans do note an area where detention storage will be provided if it is required by Public Works.

Austin Realty Investments is also hereby requesting an Administrative Final Plat for the Property to adjust the common lot line between the two lots. Approval of the Administrative Final Plat will change the legal description of the Property to East "O" Street Office Park Addition.

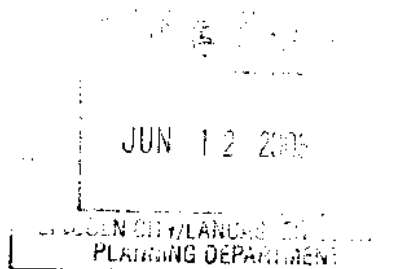
We appreciate the opportunity to meet with planning staff prior to this submittal. We look forward to working with the City on this project. If you have any questions regarding the above, please call me or Mark Palmer with Olsson Associates.

Yours very truly,


DANAY KALKOWSKI
For the Firm

Enclosure

Cc: Austin Realty Investments
Patte Newman
Ann Stivers, President of Skyway Office Park Owners Association, Inc.



SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

June 13, 2003

HAND DELIVERY

Marvin Krout
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: East O Street Office Park Use Permit

Dear Marvin:

Yesterday our office submitted a request for a Use Permit on Lots 59 and 69, Irregular Tracts located in the Southeast Quarter of Section 22, Township 10 North, Range 7 East of the 6 PM, Lincoln, Lancaster County, Nebraska. It has come to our attention that there is an existing Use Permit on Lot 69. On behalf of Austin Realty Investments, the owner of Lot 69, we are hereby requesting that Use Permit No. 120 be rescinded, as it will be replaced with the East O Street Office Park Use Permit.

Very truly yours,


DANAY KALKOWSKI
For the Firm

Memo



To: Greg Czaplewski, Planning Department

From: Mark Canney, Parks & Recreation

Date: June 19, 2003

Re: East "O" St. Office Park

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Please locate street trees along the access road on landscape plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Greg Czaplewski

DATE: June 23, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: East 'O' ST Office Park
UP #151

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the use permit application with the following items noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.



INTER-DEPARTMENT COMMUNICATION

DATE June 20, 2003

TO Greg Czaplewski, City Planning

FROM Sharon Theobald
(Ext. 7640)

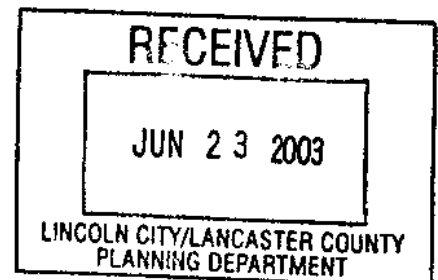
SUBJECT DEDICATED EASEMENTS-Use Permit #151
DN#1N-81E

Attached are the Administrative Final Plat and Use Permit for East "O" Street Office Park Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map.

A handwritten signature in cursive script that reads "Sharon Theobald".



ST/ss
Attachment
c: Terry Wiebke
Easement File

**PUBLIC WORKS AND
UTILITIES DEPARTMENT**



MEMORANDUM

Date: June 25, 2003

To: Greg Czaplewski
cc: Ben Higgins, Dennis Bartels

From: Devin Biesecker

Subject: *East "O" St. Office Park*

Below are Watershed Management's comments on the East "O" St. Office Park Use Permit. Comments are based on a three-sheet plan set stamped June 12, 2003 by the Planning Department.

1. Watershed Management recently investigated a complaint about a detention pond just downstream of this site. The occupant of the building adjacent to the detention pond stated that stormwater had recently filled the pond and spilled over onto a parking area near the building. Watershed Management along with Dennis Bartels agree that detention should be required for this site because of the added impervious area of this site and the recent concerns of the pond downstream.